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EXAMINER

LIM, SENG HENG

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/562,411
Filing Date: March 19, 2007
Appellant(s): SWAMY ET AL.

Vikram Swamy
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed July 18, 2009 appealing from the Office action mailed November 17, 2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner. Rejection of claims 3-5, 8, 25-27, 30 & 44 under 35 U.S.C 112, second paragraph has been withdrawn.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 6,916,247	Gatto et al	7-2005
US 2002/0147047 A1	Letovsky et al	10-2002
US 2002/0077178 A1	Oberberger et al	6-2002
US 6,289,382 B1	Bowman-Amuah	9-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-5, 7, 9-12, 22-27, 29, 31-40 & 43 are rejected under 35 U.S.C. 102(b) as being anticipated by Gatto et al (US 6,916,247 B2).

Re claim 1, 22, 23 & 43. Gatto et al discloses a gaming network system and method for providing a cashless gaming service in a gaming network including gaming machines (10:47-54), comprising sending service information for a service from the gaming service (specialized device) to a discovery agent (server, 112) on the gaming network (Fig. 19 & 20, 14:11-33) wherein the cashless gaming service provides

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electronic funds transfer for one or more of a plurality of gaming machines on the gaming network (i.e. from player charge accounts or using some form of electronic money) (10:47-54), wherein in response to a wager at a gaming machine of the plurality of gaming machines the gaming machine depicts indicia representative of a randomly selected outcome of a wagering game (i.e. with the RNG, Fig. 10); determining by the discovery agent if the cashless gaming service is authentic and authorized using an authentication engine (10:55-62); in response to determining that the cashless gaming service is authentic and authorized, publishing the service information to a service repository to make the cashless gaming service available on the gaming network (i.e. broadcast availability to server) (Fig. 19; 13:64-67); receiving by the discovery agent a discovery request for the location of the cashless gaming service from a gaming client on a gaming machine of the plurality of gaming machines (i.e. bind to device) (Fig. 19; 13:64-14:2) and using the service information for the cashless gaming service to register the gaming client with the cashless gaming service (i.e. the specialized device sends asynchronous notifications packets to the central server and registering the specialized device with the server, hence would include a form of request for the location of the specialized device or gaming client) (14:13-20); verifying that the gaming client is authorized to utilize the cashless gaming service with the use of an authentication engine (10:55-62) to process a service requests between the gaming client and the cashless gaming service, said service requests conforming to an internetworking protocol (14:2-8).

Re claim 2-5 & 24-27. The cashless gaming service comprises a web service, wherein the service request is formatted according to a service description language such as a Web Services Description Language (WSDL) and the cashless gaming service is registered in a UDDI registry (15:49-54).

Re claim 7 & 29. The gaming client comprises a service provider (16:8-11).

Re claim 9-12 & 31-34. The service request comprises a request to establish or register a new account, to modify details for an account, to close an account and to provide details for an account (14:19-27).

Re claim 13, 18-19, 35 & 40. The service request comprises a request to obtain an account balance and to withdraw funds from an account as a playable credit on a gaming machine (10:47-54).

Claims 8, 14, 30 & 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto et al (US 6,916,247 B2) as applied to claims 1 & 23.

Re claim 8 & 30. Gatto et al discloses the service request using "Web Services" and offer a universal solution over the Internet using XML, SOAP, WSDL and UDDI but does not expressly disclose the service request comprising an HTTP request encapsulating an OFX message; however, a person of ordinary skill in the art would recognize the equivalence of HTTP to a Web Services over the Internet.

Re claim 14 & 36. Gatto et al does not disclose the service request comprises a request to obtain a list of transactions associated with an account; however the system does includes a transaction engine (842) which is capable keeping a list of transactions

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associated with an account. Hence would be obvious to include a request to obtain a list of transactions associated with an account as one of the service request.

Claims 15-17 & 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto et al (US 6,916,247 B2) as applied to claims 1 & 23 in view of Letovsky et al (US 2002/0147047 A1).

Gatto et al teaches the invention substantially as claimed, but does not expressly disclose the service request comprising a request to deposit or electronically transfer funds into or from an external account into the account and obtaining authorization prior to electronically transferring funds. Letovsky et al discloses the service request comprising a request to deposit or electronically transfer funds into or from an external account into the account [0072] and obtaining authorization prior to electronically transferring funds [0073]. Gatto et al and Letovsky et al are analogous art because they are from the same field of endeavor of providing cashless gaming services. At the time of invention a person of ordinary skill in the art would have found it obvious to connect an external account into the player's account to electronically transfer more funds into the player's account in order to give the player an opportunity to wager more money on the game.

Claims 20-21 & 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto et al (US 6,916,247 B2) as applied to claims 1 & 23 in view of Oberberger et al (US 2002/0077178 A1).

Gatto et al teaches the invention substantially as claimed, but does not disclose depositing or withdrawing promotion credits into and from an account. Oberberger et al discloses depositing or withdrawing promotion credits into and from an account [0079]. Gatto et al and Oberberger et al are analogous art because they are from the same field of endeavor of providing cashless gaming services. At the time of invention a person of ordinary skill in the art would have found it obvious to allow a player to use promotional credits as a form of funding for the game and would have motivated to do so to attract players to the game by offering them a chance to play the game for free.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto et al (US 6,916,247 B2) as applied to claim 43 taken with Bowman-Amuah (US 6,289,382 B1).

Gatto et al teaches the invention substantially as claimed, but does not disclose the protocol of the authentication service to include LDAP (Lightweight Directory Access Protocol); however using a LDAP protocol for an authentication or security purpose is well known in the art as evidenced by Bowman-Amuah (63:21-30). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use LDAP protocol since it was known in the art that LDAP is a standard protocol for accessing and updating directory information in a client/server environment and LDAP has evolved into an emerging standard for directory replication for the Internet.

(10) Response to Argument

Re rejection of claims 3-5, 8, 25-27, 30 & 44 under 35 U.S.C 112, second paragraph:

Rejection of claims 3-5, 8, 25-27, 30 & 44 under 35 U.S.C 112, second paragraph has been withdrawn.

Re rejection of claims 1-5, 7-12, 14, 22-27, 29-40 & 43 using Gatto:

Appellant argues that Gatto does not disclose "sending service information for a service from the gaming service to a discovery agent on the gaming network." The examiner disagrees. Gatto discloses providing a cashless gaming service connected through a network (column 3, lines 1-7 & 41-50), wherein the specialized device (i.e. gaming device) is in communication with a server (i.e. discovery agent). In order for a player to play the game, the gaming device has to send service request information to the gaming server on the gaming network (Fig. 19). Clearly, the system of Gatto sends service information for a service from the gaming service to a discovery agent on the gaming network. The device alone is not a service. The service is a combination of the device with the central server communicating with one another to offer/initiate a cashless gaming service to the player.

Appellant further argues that Gatto does not disclose "determining by the discovery agent if the cashless gaming service is authentic and authorized... in response to determining that the cashless gaming service is authentic and authorized, publishing the service information to a service repository to make the cashless gaming

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service available on the gaming network." The examiner disagrees. Gatto's system has an authentication and authorization unit for making the cashless gaming service available on the gaming network (column 10, lines 55-62). Clearly, the system has to authenticate the authenticity of the service before authorizing the service to the player. After the system determines the authorization of the service, the system publishes the service information to the server (i.e. service repository) to make the cashless gaming service available to the player on the gaming network.

Re rejection of claims 15-17 & 37-39 using Gatto in view of Letvosky:

Claims 15-17 depend from claim 1 and claims 37-39 depend from claim 23. These dependent claims inherit the elements of their respective base claims as argued above.

Re rejection of claims 20-21 & 41-42 using Gatto in view of Oberberger:

Claims 20-21 depend from claim 1 and claims 41-42 depend from claim 23. These dependent claims inherit the elements of their respective base claims as argued above.

Re rejection of claim 44 using Gatto in view of Bowman-Amuah:

Claim 44 depends from claim 23. These dependent claims inherit the elements of their respective base claims as argued above.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Seng H Lim/
Examiner, Art Unit 3714

Conferees:

/Dmitry Suhol/

Supervisory Patent Examiner, Art Unit 3714

/Peter D. Vo/

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